



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,524	10/31/2000	Robert A. Yennaco	5160-04	7219

7590

10/03/2005

Robert C. Kowert
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398

EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,524

Applicant(s)

YENNACO, ROBERT A.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

HT

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21-22, 24-25, 29-36, 38-39, 43-45, 47-51, 53-54, 58-65, and 67-68 are rejected under 35 U.S.C. 103(a) as being unpatentably over Cook et al. (USPN: 5,727,950) hereinafter Cook in view of Martinez (USPN: 5,546,521).

As per claims 21 (method), 35 (device), 50 (computer medium), 64 (system); Cook discloses a method comprising:

Maintaining a cache specific to help data for one or more user interface components is taught by Cook as the technique of large files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain form of version control of the read only data. In any case, the student data object, which contain all permanent and read –write data, is stored between sessions on a server (see col. 16, lines 20-27) or maintaining on cache disk 209 (see Fig. 2A).

Cook, however, does not discloses the limitations of in response to receiving a request for help data for a newly referenced one of the components, loading the help data for the referenced

Art Unit: 2173

component into the cache if the help data for the referenced component is not in the cache, and supplying the help data for the referenced component for user presentation.

Martinez discloses the limitations of in response to receiving a request for help data for a newly referenced one of the components, loading the help data for the referenced component into the cache if the help data for the referenced component is not in the cache, and supplying the help data for the referenced component for user presentation as the techniques of responsive to the determination that an object is present underneath the pointer (see col. 2, lines 50-52), the shared memory in dynamic table database 41, from which Infomouse 35 can read help information . The dynamic help table 41 is on additional shared memory segment to the static help contained in database table 40 which is loaded from storage disk (see col. 5, lines 53-57) and maintained in memory management 25 (see Fig. 2), and guidelines for its graphical user interface (see col. 6, line 44).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez 's teachings of in response to receiving a request for help data for a newly referenced one of the components, loading the help data for the referenced component into the cache if the help data for the referenced component is not in the cache, and supplying the help data for the referenced component for user presentation into that of Cook's invention. By doing so, the system would be enhanced by capable of tracking what kind of help its end user needed, and updating from dynamic table storage, and presenting help information to its end user. Thus, the system would provide an enhanced contextual help to its end user.

As per claims 22 (method), 36 (device), 51 (computer medium), and 65 (system); Cook discloses the invention substantially as claimed above. Cook, however, does not disclose the limitation of if the help data for the referenced component is in the cache, supplying the help data for the referenced component from the cache.

Martinez discloses the limitation of if the help data for the referenced component is in the cache, supplying the help data for the referenced component from the cache as the technique of the static help contained in database table 40 which is loaded from disk storage 26 (see col. 5, lines 56-57).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez's teaching of if the help data for the referenced component is in the cache, supplying the help data for the referenced component from the cache into that of Cook's invention. By doing so, the system would be enhanced by capable of presenting help information to its end user. Thus, the system would provide an enhanced contextual help to its end user.

As per claims 24 (method), 38 (device), 53 (computer medium), and 67 (system); Cook discloses the limitation of loading into the cache help data for one or more non-referenced user interface components associated with the referenced component as the technique of large files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain form of version control of the read only data. In any case, the student data object, which contain all permanent and read –write data, is stored between

Art Unit: 2173

sessions on a server (see col. 16, lines 20-27) or maintaining on cache disk 209 (see Fig. 2A).

These claims are therefore rejected for the reasons as set forth above.

As per claims 25 (method), 39 (device), 54 (computer medium), and 68 (system); Cook discloses the invention substantially as claimed above. Cook, however, does not disclose the limitation of wherein said loading help data for the one or more non-referenced components is performed in a background process.

Martinez discloses the limitation of loading help data is performed in a background process as the technique of application represented by application C39 contains neither static or dynamic help. This type of application is simply ignored by Infomouse 35. However, the help facility does not interfere with operation of application C39 despite the fact that is running on the top of it (see col. 6, lines 1-6).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez's teaching of loading help data is performed in a background or underneath process into that of Cook's invention. By doing so, the system would be enhanced by capable of loading and running generic non-referenced of particular component to its end user. Thus, the system would provide information associated with that component to its end user.

As per claims 29 (method), 43 (device), and 58; due to the similarities of each of these claims to that of claims 24, 38, and 53; respectively, these claims are therefore rejected for the reasons as set forth above.

As per claims 30 (method), 44 (device), and 59 (computer medium); the limitation of wherein said loading comprises loading the help data into the cache from a remote source across a network is taught by Cook as the technique of the student data object which contains all permanent and read-write student data is stored between sessions on a server. This permits a student to access the ABI (Agent Based Instruction) system services from any available client system at any time by simply downloading the student data object to that client system (see col. 16, lines 25-30) through public packet switching network (see col. 15, line 62). These claims are therefore rejected for the reasons as set forth above.

As per claims 31 (method), 45 (device), and 60 (computer medium); Cook discloses the invention substantially as claimed above. Cook, however, does not disclose the limitation of wherein said receiving a request comprises receiving a notification event in response to a user changing focus in a dialog box, wherein the notification event comprises an indication of the reference component.

Martinez discloses the limitation of receiving a notification event in response to a user changing focus in a dialog box, wherein the notification event comprises an indication of the reference component as the technique of Oversee 37 is an aware application, it updates help message to be displayed over the server icon 61 depending on the status of the object. The message "server is up and running" is an example of status information (see col. 7, lines 42-46) and the pointer has moved to a window control icon in the dialog box 47. Again, Infomouse 35 queries the operating system 31 for the pointer position 49 is over an object in the graphical user interface. In responsive to the message that it is over the window control 61, the Infomouse 35 first refers to the dynamic table 41, finding no help string, it then refers to the static table 40,

Art Unit: 2173

finds help and displays a the message “double click to closes the dialog box” in help information window 60 (see col. 7, lines 53-62).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez’s teaching of receiving a notification event in response to a user changing focus in a dialog box, wherein the notification event comprises an indication of the reference component into that of Cook’s invention. By doing so, the system would be enhanced by capable of sending the notification message in the case of the user changes the focus control on the dialog box. Thus, the system would provide a notification tool to its end user.

As per claims 32 (method), 47 (device), and 61 (computer medium); Cook discloses the invention substantially as claimed above. Cook, however, does not disclose the limitation of receiving a preload request indicating one or more of the components, loading into the cache help data for each of the indicated components.

Martinez discloses the limitation of receiving a preload request indicating one or more of the components, loading into the cache help data for each of the indicated components as the technique of within the graphical user interface, operating system 31 is IBM’s OS/2 with the help facility 35 and applications A, B and C 37, 38 and 39, which represents three types of applications compatible with the preferred architecture of the help application 35 (see col. 5, lines 39-44 and also see Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez’s teaching of receiving a preload request indicating one or more of the components, loading into the cache help data for each of the indicated

components into that of Cook's invention. By doing so, the system would be enhanced by capable of providing multiple applications in conjunction with the help facility to its end user.

As per claims 33 (method), 48 (device), and 62 (computer medium); due to the similarities of each of these claims to that of claims 24, 38, and 53; respectively; these claims are therefore rejected for the reasons as set forth above.

As per claims 34 (method), 49 (device), and 63 (computer medium); Cook discloses the invention substantially as claimed above. Cook, however, does not disclose the limitation of wherein the cache is one of a plurality of maintained caches specific to help data, wherein each cache includes help data for one or more user interface components of a user interface section of a respective plurality of user interface sections.

Martinez discloses the limitation of wherein the cache is one of a plurality of maintained caches specific to help data, wherein each cache includes help data for one or more user interface components of a user interface section of a respective plurality of user interface sections as the technique of dynamic help table 41 and static help table 40 (see col. 8, lines 64-65 and see Fig. 9) wherein the dynamic help table 41 oversee of system up, server icon, server is up and running while the static help table 40 oversee minimize of window and open/close of dialog box, respectively (see Fig. 9).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Martinez's teaching of wherein the cache is one of a plurality of maintained caches specific to help data, wherein each cache includes help data for one or more user interface components of a user interface section of a respective plurality of user interface

Art Unit: 2173

sections into that of Cook's invention. By doing so, the system would be enhanced by capable of allowing user easy to recognize the functional of multiple caches in the entire help system.

5. Claims 23, 37, 52, and 66 are rejected under 35 U.S.C. 103(a) as being unpatentably over Cook et al. (USPN: 5,727,950) hereinafter Cook in view of Martinez (USPN: 5,546,521) and further in view of Monsen et al. (USPN: 6,606,628 B1) hereinafter Mosen.

As per claims 23 (method), 37 (device), 52 (computer medium), and 66 (system); Cook-Martinez discloses the invention substantially as claimed above. Cook-Martinez, however, do not disclose the limitation of deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the referenced component.

Monsen discloses the limitation of deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the referenced component as the technique of deleting the file (see col. 5, line 26) which is not performed very frequently (see col. 4, line 28) in order to allocate memory space for other purposes (see col. 5, line 50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Monsen teaching of deleting the file which is not performed very frequently in order to allocate memory space for other purposes into that of Cook-Martinez combined invention. By doing so, the system would be enhanced by capable of providing enough memory space in order for other purposes. Thus, the system would provide enough preserve memory space to its end user.

6. Claims 26-28, 40-42, and 55-57 are rejected under 35 U.S.C. 103(a) as being unpatentably over Cook et al. (USPN: 5,727,950) hereinafter Cook in view of Martinez (USPN: 5,546,521) and further in view of Medl et al. (USPN: 6,209, 006) hereinafter Medl.

As per claims 26 (method), 40 (device), and 55 (computer medium); Cook-Martinez discloses the invention substantially as claimed above. Cook-Martinez, however, does not disclose the limitation of loading into the cache additional help data indicated by one or more hyperlinks in the help data for the referenced component.

Medl discloses the limitation of loading into the cache additional help data indicated by one or more hyperlinks in the help data for the referenced component as the technique of within the interface displayed to the user on the CRT are various elements of interest 30-32, which are highlighted to enable the user to visually note areas containing additional information which might be helpful to the user to create a better understanding of a definition of the term highlighted or function thereof. Each element has a hyperlink address 40-42 linking to the specified highlighted element to a definition or other related information (see col. 2, lines 48-56 and also see Fig. 1a).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Medl teaching of loading into the cache additional help data indicated by one or more hyperlinks in the help data for the referenced component into that of Cook-Martinez combined invention. By doing so, the system would be enhanced by capable of providing hyperlink address on the help system wherein user can access additional information based on user's desired task.

Art Unit: 2173

As per claims 27 (method), 41 (device), and 56 (computer medium); Cook-Martinez discloses the invention substantially as claimed above. Cook-Martinez, however, does not disclose the limitation of loading into the cache further help data indicated by one or more hyperlinks in the additional help data.

Medl discloses the limitation of loading into the cache further help data indicated by one or more hyperlinks in the additional help data as the technique of a user selects particular element of interest (Definition/Function) by selecting the element using a click of a mouse or equivalent user input function (see col. 2, lines 57-59).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Medl teaching of help data indicated by one or more hyperlinks in the additional help data into that of Cook-Martinez combined invention. By doing so, the system would be enhanced by providing an enhance tool for retrieving additional help information to its end user.

As per claims 28 (method), 42 (device), and 57 (computer medium); Cook-Martinez discloses the invention substantially as claimed above. Cook-Martinez, however, does not disclose the limitations of in response to receiving a request for help data for a referenced one of the hyperlinks in the help data for the referenced component, supplying the additional help data for the referenced hyperlink.

Medl discloses the limitation of in response to receiving a request for help data for a referenced one of the hyperlinks in the help data for the referenced component, supplying the additional help data for the referenced hyperlink as the technique of within the interface displayed to the user on the CRT are various elements of interest 30-32, which are highlighted to

Art Unit: 2173

enable the user to visually note areas containing additional information which might be helpful to the user to create a better understanding of a definition of the term highlighted or function thereof. Each element has a hyperlink address 40-42 linking to the specified highlighted element to a definition or other related information (see col. 2, lines 48-56 and also see Fig. 1a) and a user selects particular element of interest by selecting the element using a click of a mouse or equivalent user input function (see col. 2, lines 57-59).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Medl teachings of in response to receiving a request for help data for a referenced one of the hyperlinks in the help data for the referenced component, supplying the additional help data for the referenced hyperlink into that of Cook-Martinez combined invention. By doing so, the system would be enhanced by providing additional help information in term of interest function to its end user base upon user select a particular hyperlink in a help section. Thus, the system would provide an enhance tool for retrieving additional help information to its end user.

3. Applicant's argument filed on July 15, 2005 has been fully considered, but they are not persuasive.

In response to applicant's argument on pages 2-5 that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071,

Art Unit: 2173

5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Cook discloses maintaining a cache specific to help data for one or more user interface components used in combination of Martinez's receiving a notification event in response to a user. One skill in the art would have been obvious to receiving a request for help data for a newly referenced one of the components, loading the help data for the referenced component into the cache if the help data for the referenced component is not in the cache, and supplying the help data for the referenced component for user presentation into that of Cook's invention. By doing so, the system would be enhanced by capable of tracking what kind of help its end user needed, and updating from dynamic table storage, and presenting help information to its end user. Thus, the system would provide an enhanced contextual help to its end user.

On page 2 of the remark, with respect to claims 21, Applicant argues that "Cook fails to teach maintaining a cache specific to help data for none or more user interface components". The Examiner, however, does not agree to this argument since Cook discloses the feature of "maintaining a cache specific to help data for none or more user interface components" as the technique of large files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain form of version control of the read only data. In any case, the student data object, which contain all permanent and read-write data, is stored between sessions on a server (see col. 16, lines 20-27) are maintained on cache disk 209 (see Fig. 2A).

On this same paragraph, Applicant argues that “ the files downloaded by Cook are not maintained in a cache specific to help data”. The Examiner, however, does not agree to this argument since as in Cook’s these files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain form of version control of the read only data (see col. 16, lines 20-26) of reading, mathematics and related topics, spellings, writing, and other language arts are maintained on cache disk 209 (see Fig. 2A).

On page 3 of the Remark, Applicant argues that “ Cook does not mention anything regarding a cache specific to help data. Further, the files downloaded by Cook are not presented to the user as help data for one or more user interface components”. The Examiner, however, does not agree to this argument since Cook discloses “a cache specific to help data as files of reading, mathematics and related topics, spellings, writing, and other language arts can be downloaded in advance of a student session then maintained on cache disk 209 (see Fig. 2A). Cook, further discloses the feature of “help data for one or more user interface components” as help data files of reading, mathematics and related topics, spellings, writing, and other language arts.

On page 4 of the Remark, Applicant argues that “Cook fails to disclose anything regarding providing help for user interface components”. The Examiner, however, does not agree to this argument since Cook discloses “providing help for user interface components” as help data files of reading, mathematics and related topics, spellings, writing, and other language arts.

On page 5 of the Remark, Applicant argues that “The Examiner relies upon Martinez to disclose, because Cook fails to teach loading the help data for a reference component into the cache if the help data for the referenced component is not in the cache. However, contrary to the Examiner’s assertion, Martinez clearly fails to teach such a system”. The Examiner, however, does not agree to this argument since Martinez discloses the feature of “loading the help data for a reference component into the cache if the help data for the referenced component is not in the cache” as the technique of the dynamic help table 41 is on additional shared memory segment to the static help contained in database table 40, are loaded from the disk storage 26 (see col. 5, lines 55-57) and maintained in Memory Management 25 (see Fig. 2). Thus, Martinez inherently teaches the feature of loading the help data from the dynamic table 41, on additional memory to the static help table 40, are loaded from the disk storage 26 (see col. 5, lines 55-57) and maintained in Memory Management 25 (in order to avoid of redundancy then the help data for the reference does not required loading step if the help data is in the cache).

On page 4 of the remark, Applicant argues that “None of these sections mentions anything regarding a cache specific to help data, nor about loading into a cache help data for a user interface component for which no help data is currently in the cache”. The Examiner, however, does not agree to this argument for at least of the two following reasons:

First of all, the feature of “a cache specific to help data” as indicated by the examiner is taught by Cook as the technique of files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain

Art Unit: 2173

form of version control of the read only data (see col. 16, lines 20-26). Lastly, the feature of “loading into a cache help data for a user interface component for which no help data is currently in the cache” is suggested by Martinez as the technique of the dynamic help table 41 is on additional shared memory segment to the static help contained in database table 40 which is loaded from the disk storage 26 (see col. 5, lines 55-57) are maintained in Memory Management 25 (see Fig. 2). Thus, Martinez inherently teaches the feature of loading the help data from the dynamic table 41, on additional memory to the static help table 40, are loaded from the disk storage 26 (see col. 5, lines 55-57) and maintained in Memory Management 25 (in order to avoid of redundancy then the help data for the reference does not required loading step if the help data is in the cache).

On page 5 of the Remark, Applicant argues that “In contrast, Martinez explicitly teaches that if no help information is found in the dynamic table 41, help text may be loaded from the static table 41 and displayed to the user, but it is not loaded into any kind of cache”. The Examiner, however, does not agree to this argument since Martinez’s discloses that the dynamic help table 41, an additional shared memory segment to the static help contained in database table 40, are loaded from the disk storage 26 (see col. 5, lines 55-57) and maintained in Memory Management 25 (see Fig. 2).

On page 6 of the Remark, Applicant argues that “ claim 21 is clearly not supported by the teachings of the cited art and withdrawal thereof is respectfully requested. Similar arguments apply in regard to claims 35, 50 and 64”. The Examiner, however, does not agree to this argument. These claims 21, 35, 50 and 64 are therefore rejected for at least of the above reasons.

On page 6 of the remark; with respect to claims 23, 37, 52 and 66; Applicant argues that “Martinez fail to teach deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the reference component” and “Neither Cook nor Martinez, separately or in combination, teach deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the referenced component. Thus, the rejection of claim 23 is not supported by the teachings of the cited art and withdrawal thereof is respectfully requested. Similarly arguments in regard to claims 37, 52 and 66”.

The Examiner, agree that the combination of Cook and Martinez lack of the limitation of “deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the referenced component”.

However, Monsen discloses the limitation of deleting the least recently requested help data in the cache if there is not enough free space in the cache to store the help data for the referenced component as the technique of deleting the file (see col. 5, line 26) which is not performed very frequently (see col. 4, line 28) in order to allocate memory space for other purposes (see col. 5, line 50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Monsen teaching of deleting the file which is not performed very frequently in order to allocate memory space for other purposes into that of Cook-Martinez combined invention. By doing so, the system would be enhanced by capable of providing enough memory space in order for other purposes. Thus, the system would provide enough preserve memory space to its end user.

On page 6 and 7 of the remark; with respect to claims 24, 38, 53 and 67; Applicant argues that “ Regarding claim 24, Martinez fails to teach loading into the cache help data for one or more non-referenced user interface components associated with a reference component.... neither this passage, nor the entirety of Martinez, teaches the loading of help data for one or more non-referenced user interface components associated with a reference component. Cook further fails to teach loading into the cache help data for one or more non-referenced user interface components associated with a reference component. Thus, the rejection of claim 24 is not supported by the teachings of the cited art and withdrawal thereof is respectfully requested. Similar arguments apply in regard to claims 29, 38, 43, 53, 58 and 67”. The Examiner, however, do not agree to this argument for at least of the following reason:

The limitation of “loading into the cache help data for one or more non-referenced user interface components associated with the referenced component” is taught by Cook as the technique of large files of reading, mathematics and related topics, spellings, writing, and other language arts (see col. 3, lines 26-27) can be downloaded in advance of a student session or the student client can cache read-only data across obviating the need for downloading such files. Such caching requires the operating system components to maintain form of version control of the read only data. In any case, the student data object, which contain all permanent and read – write data, is stored between sessions on a server (see col. 16, lines 20-27) or maintaining on cache disk 209 (see Fig. 2A). Strands of Reading, Mathematics and related topic, spelling, writing, and other language arts, from grades one to six, or perhaps to eight or nine can be downloaded in advance of a student session. Thus, claims 24, 29, 38, 43, 53, 58 and 67 are therefore rejected for the reason as set forth above.

On page 7 of the remark to the second paragraph of page 18; with respect to claims 32, 47, and 61; Applicant argues that “ In fact, Martinez fails to teach anything regarding receiving a preload request indicating one or more component. Nor does Martinez teach anything about loading, into a cache, help data for each of the indicated components in response to receiving such a preload request” and “Thus, the rejection of claim 32 is not supported by the teachings of the cited art and withdrawal thereof is respectfully requested. Similar arguments apply in regard to claims 47 and 61”.

The Examiner, however, do not agree to this argument since Martinez discloses the limitation of “loading into the cache help data for each of the indicated components a preload request” as the technique of within the graphical user interface, operating system 31 is IBM’s OS/2 with the help facility 35 and applications A, B and C 37, 38 and 39, which represents three types of applications compatible with the preferred architecture of the help application 35 (see col. 5, lines 39-44 and also see Fig. 3). Thus, clearly Martinez discloses that the graphical user interface supported by IBM OS/2 operating system loading into help application 35 the three preloaded applications A 37, B 38, and C 39, respectively. Therefore claims 32, 47, and 61 are rejected for at least of the reasons as set forth above.

On page 8 of the remark; with respect to claims 26-28, 40-42, and 55-57; Applicant argues that “ Claims 26-28, 40-42 and 55-57 are rejected under U.S.C. § 103 (a) as being unpatentable over Cook in view of Martinez, and further in view of Medl et al. (US Patent 6,209,006) (hereinafter “Medl”). Applicants traverse this rejection for at least the reasons given above in regard to the respective independent claims”. The Examiner, however, do not agree to this

Art Unit: 2173

argument, these claims 26-28, 40-42, and 55-57 are rejected due to their dependencies upon independent claims 21, 35, and 49, respectively.

Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

09/28/05